

108TH CONGRESS
2D SESSION

H. R. 3756

To establish a National Commission on Digestive Diseases.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 3, 2004

Mr. BLUNT (for himself and Mr. RUSH) introduced the following bill; which
was referred to the Committee on Energy and Commerce

A BILL

To establish a National Commission on Digestive Diseases.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. NATIONAL COMMISSION ON DIGESTIVE DIS-**
4 **EASES.**

5 (a) IN GENERAL.—The Secretary of Health and
6 Human Services (in this section referred to as the “Sec-
7 retary”), after consultation with the Director of the Na-
8 tional Institutes of Health, shall, within sixty days after
9 the date of the enactment of this Act, establish a National
10 Commission on Digestive Diseases (in this section referred
11 to as the “Commission”).

12 (b) DUTIES.—

1 (1) IN GENERAL.—The Commission shall—

2 (A) conduct a comprehensive study of the
3 present state of knowledge of the incidence, du-
4 ration, and morbidity of, and mortality rates re-
5 sulting from, digestive diseases and of the social
6 and economic impact of such diseases;

7 (B) evaluate the public and private facili-
8 ties and resources (including trained personnel
9 and research activities) for the diagnosis, pre-
10 vention, and treatment of, and research in, such
11 diseases; and

12 (C) identify programs (including biological,
13 behavioral, nutritional, environmental, and so-
14 cial programs) in which, and the means by
15 which, improvement in the management of di-
16 gestive diseases can be accomplished.

17 (2) LONG-RANGE PLAN.—Based on the study,
18 evaluation, and identification made pursuant to
19 paragraph (1), the Commission shall develop and
20 recommend a long-range plan for the use and orga-
21 nization of national resources to effectively deal with
22 digestive diseases. The plan shall provide for—

23 (A) research studies into the basic biologi-
24 cal processes and mechanisms related to diges-
25 tive diseases;

1 (B) investigations into the epidemiology,
2 etiology, diagnosis, treatment, prevention, and
3 control of digestive diseases;

4 (C) development of preventive measures
5 (including education programs, programs for
6 the elimination of environmental hazards re-
7 lated to digestive diseases, and clinical pro-
8 grams) to be taken against digestive diseases;

9 (D) detection of digestive diseases in the
10 presymptomatic stages and development and
11 evaluation of new, and improved methods of
12 screening for digestive diseases, taking into ac-
13 count recent technological changes in diagnostic
14 imaging modalities;

15 (E) development of criteria for the diag-
16 nosis and the clinical management and control
17 of digestive diseases;

18 (F) development of approaches to advance
19 digestive diseases research by incorporating in-
20 sights obtained from genomic and proteomic re-
21 search;

22 (G) development of coordinated health care
23 systems for dealing with digestive diseases;

24 (H) education and training (including con-
25 tinuing education programs) of scientists, clini-

1 cians, educators, and allied health professionals
2 in the fields and specialties requisite to the con-
3 duct of programs related to digestive diseases
4 with special emphasis on training for careers in
5 research, teaching, and all aspects of patient
6 care;

7 (I) the conduct and subject matter of trials
8 in clinical and translational research in diges-
9 tive diseases; and

10 (J) establishment of a system of periodic
11 surveillance of the research potential and re-
12 search needs in digestive diseases.

13 The long-range plan formulated under this para-
14 graph shall also include within its scope related nu-
15 tritional disorders and basic biological processes and
16 mechanisms in nutrition which are related to diges-
17 tive diseases.

18 (3) RECOMMENDATIONS FOR INDIVIDUAL NA-
19 TIONAL RESEARCH INSTITUTES.—The Commission
20 shall recommend for each of the Institutes of the
21 National Institutes of Health whose activities are to
22 be affected by the long-range plan estimates of the
23 expenditures needed to carry out each Institute's
24 part of the overall program. Such estimates shall be
25 prepared for the fiscal year beginning immediately

1 after completion of the Commission's plan and for
2 each of the next five fiscal years.

3 (c) COMPOSITION.—

4 (1) IN GENERAL.—The Commission shall be
5 composed of 16 members appointed in accordance
6 with paragraph (2) and the ex officio members des-
7 ignated under paragraph (3). The appointed mem-
8 bers shall be voting members, and the ex officio
9 members shall be nonvoting members, except that
10 the ex officio member designated under paragraph
11 (3)(A) shall be a voting member.

12 (2) APPOINTED MEMBERS.—The voting mem-
13 bers of the Commission shall be appointed by the
14 Secretary, and shall be appointed from among indi-
15 viduals who are not officers or employees of the Fed-
16 eral Government. Of such members—

17 (A) 10 shall be appointed from among sci-
18 entists, physicians, and other health profes-
19 sionals, of whom—

20 (i) two shall be practicing clinical gas-
21 troenterologists;

22 (ii) two shall be gastroenterologists in-
23 volved primarily in research on digestive
24 diseases;

25 (iii) one shall be a surgeon;

1 (iv) one shall be an expert in liver dis-
2 ease;

3 (v) one shall be an epidemiologist;

4 (vi) one shall be an allied health pro-
5 fessional; and

6 (vii) two shall be basic biomedical sci-
7 entists (such as biochemists, physiologists,
8 microbiologists, nutritionists, pharma-
9 cologists, or immunologists); and

10 (B) six shall be appointed from among the
11 general public, of whom at least three shall
12 have personal or close family experience with di-
13 gestive diseases.

14 (3) EX OFFICIO MEMBERS.—

15 (A) NATIONAL INSTITUTE OF DIABETES
16 AND DIGESTIVE AND KIDNEY DISEASES.—From
17 among officers or employees of the National In-
18 stitute of Diabetes and Digestive and Kidney
19 Diseases whose primary interest is in the field
20 of digestive diseases, the Secretary shall des-
21 ignate an individual to serve as an ex officio
22 member of the Commission.

23 (B) ADDITIONAL MEMBERS.—The fol-
24 lowing officials (or the designees of the offi-
25 cials) shall serve as ex officio members of the

1 Commission: The Director of the National In-
2 stitutes of Health; the Director of the National
3 Institute of Diabetes and Digestive and Kidney
4 Diseases; the Director of the National Institute
5 of Allergy and Infectious Diseases; the Director
6 of the National Cancer Institute; the Director
7 of the National Institute of Biomedical Imaging
8 and Bioengineering; the Director of the Na-
9 tional Institute of Drug Abuse; the Director of
10 the National Institute on Alcohol Abuse and Al-
11 coholicism; the Director of the National Human
12 Genome Research Institute; the Director for the
13 Division of Digestive Diseases and Nutrition
14 within the National Institute of Diabetes and
15 Digestive Kidney Diseases; the Director of the
16 Centers for Disease Control and Prevention; the
17 Chief Medical Director of the Department of
18 Veterans Affairs; and the Secretary of Defense.

19 (d) CHAIR.—From among the appointed members of
20 the Commission, the members of the Commission shall se-
21 lect an individual to serve as the Chair of the Commission.

22 (e) TERMS.—The term of a member of the Commis-
23 sion is the life of the Commission.

24 (f) VACANCIES.—

1 (1) AUTHORITY OF COMMISSION.—A vacancy in
2 the membership of the Commission does not affect
3 the power of the remaining members to carry out
4 the duties of the Commission.

5 (2) APPOINTMENT OF SUCCESSOR.—A vacancy
6 in the membership of the Commission shall be filled
7 in the manner in which the original appointment was
8 made.

9 (3) INCOMPLETE TERM.—If a member of the
10 Commission does not serve the full term of the mem-
11 ber, the individual appointed to fill the resulting va-
12 cancy shall be appointed for the remainder of the
13 term of the predecessor of the individual.

14 (g) MEETINGS.—The Commission shall first meet as
15 directed by the Secretary, not later than sixty days after
16 the Commission is established, and thereafter shall meet
17 at the call of the Chair of the Commission, but not less
18 often than three times during the life of the Commission.

19 (h) COMPENSATION; REIMBURSEMENT OF EX-
20 PENSES.—

21 (1) APPOINTED MEMBERS.—Members of the
22 Commission appointed from among individuals who
23 are not officers or employees of the Federal Govern-
24 ment shall receive compensation for each day (in-
25 cluding travel time) engaged in carrying out the du-

1 ties of the Commission. Such compensation may not
2 be in an amount in excess of the daily equivalent of
3 the annual maximum rate of basic pay payable
4 under section 5108 of title 5, United States Code,
5 for positions above GS-15.

6 (2) EX OFFICIO MEMBERS.—Members of the
7 Commission appointed from among individuals who
8 are officers or employees of the Federal Government
9 may not receive compensation for service on the
10 Commission in addition to the compensation other-
11 wise received for duties carried out as Federal offi-
12 cers or employees.

13 (3) REIMBURSEMENT.—Members of the Com-
14 mission, while serving away from their homes or reg-
15 ular places of business in the performance of serv-
16 ices for the Commission, shall be allowed travel ex-
17 penses, including per diem in lieu of subsistence, in
18 the same manner as such expenses are authorized by
19 section 5703 of title 5, United States Code, for per-
20 sons in Government service employed intermittently.

21 (i) STAFF.—

22 (1) EXECUTIVE DIRECTOR.—The Commission
23 may appoint and fix the pay of an executive director
24 to effectively carry out its functions. The executive
25 director shall be appointed subject to the provisions

1 of title 5, United States Code, governing appoint-
2 ments in the competitive service, and shall be paid
3 in accordance with the provisions of chapter 51 and
4 sub-chapter III of chapter 53 of such title related to
5 classification and General Schedule pay rates.

6 (2) ADDITIONAL STAFF.—The Secretary shall
7 provide the Commission with such additional profes-
8 sional and clerical staff, such information, and the
9 services of such consultants as the Secretary deter-
10 mines to be necessary for the Commission to carry
11 out effectively its functions.

12 (j) POWERS.—The Commission may hold such hear-
13 ings, take such testimony, and sit and act at such time
14 and places as the Commission deems advisable.

15 (k) REPORT.—Within 18 months following its initial
16 meetings (as prescribed by subsection (g)), the Commis-
17 sion shall publish and transmit directly to the Congress
18 a final report respecting its activities under this section.
19 The report shall contain—

20 (1) the long-range plan required by subsection
21 (b)(2);

22 (2) the expenditure estimates required by sub-
23 section (b)(3); and

1 (3) any recommendations of the Commission for
2 legislation that would facilitate the implementation
3 of the long-range plan.

4 In developing recommendations under paragraph (3), the
5 Commission shall evaluate the effectiveness of the Inter-
6 agency Coordinating Committee for Digestive Diseases
7 and assess its ability to monitor and promote adherence
8 to the long-range plan. The Commission may also make
9 recommendations regarding organizational changes within
10 the National Institutes of Health or the establishment of
11 new entities that would facilitate implementation of the
12 long-range plan and otherwise coordinate the Federal di-
13 gestive diseases research effort.

14 (l) TERMINATION.—The Commission terminates 30
15 days after the date on which the final report under sub-
16 section (k) is submitted to the Congress.

17 (m) AUTHORIZATION OF APPROPRIATIONS.—For the
18 purpose of carrying out this section, there is authorized
19 to be appropriated \$4,000,000 in the aggregate for fiscal
20 years 2005 and 2006.

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